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**To:**

NAME:	FACSIMILE:	TELEPHONE:
<b>MS Amendment United States Patent and Trademark Office</b>	(571) 273-8300	(571) 272-2315

**FROM:** Ernie L. Ellenberger**DATE:** October 6, 2005

Number of pages with cover page:	20
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Preparer of this slip has confirmed that facsimile number given is correct: 9369/cgm1**Comments:****Comments: RESPONSE TO NON-FINAL AMENDMENT****DOCKET NO.: 275412001900****GROUP ART UNIT: 2872****EXAMINER: A. Lavarias****SERIAL NO.: 10/723,888****FILING DATE: November 26, 2003****INVENTOR(S): Shigehiro YAMADA et al.****TITLE: OPTICAL PICK-UP APPARATUS AND SEMICONDUCTOR LASER APPARATUS****Papers attached:**

1. Transmittal (1 page)
2. Fee Transmittal w/duplicate copy for fee processing (2 pages)
3. Amendment/Response (16 pages)

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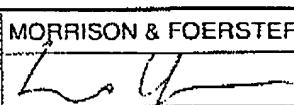
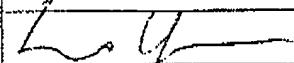
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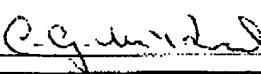
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/723,888
Total Number of Pages in This Submission 19	Filing Date November 26, 2003	
	First Named Inventor Shigehiro YAMADA	
	Art Unit 2872	
	Examiner Name A. Lavaras	
	Attorney Docket Number 275412001900	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (16 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Alter Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below). Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name 	MORRISON & FOERSTER LLP (Customer No. 25226)
Signature 	
Printed name Ernest Ellenberger	
Date October 6, 2005	Reg. No. 56,529

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

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PTO/SB/17 (12-04-02)

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<i>Effective on 12/08/2004. Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4018).</i>		<i>Complete if Known</i>	
<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Application Number	10/723,888
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	November 26, 2003
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Shigehiro YAMADA
800.00		Examiner Name	A. Lavaras
		Art Unit	2872
		Attorney Docket No.	275412001900

## METHOD OF PAYMENT (check all that apply)

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<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Fourster LLP				

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

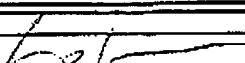
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
14	- 20 -	0	x 50.00 = 0.00		360.00	0.00
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
7	- 3 -	4	x 200.00 = 800.00			

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)	Fees Paid (\$)
Non-English Specification. \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge):	

SUBMITTED BY	
Signature	
Name (Print/Type)	Registration No. (Attorney/Agent) 56,529 Telephone (650) 813-5786
Ernest Ellenberger	Date October 6, 2005

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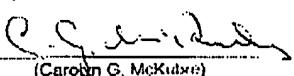
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(Carolyn G. McKibbie)

Docket No.: 275412001900  
Client Ref. No.: 62011/03R00813/US  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Shigehiro YAMADA et al.

Application No.: 10/723,888

Confirmation No.: 9345

Filed: November 26, 2003

Art. Unit: 2872

For: OPTICAL PICK-UP APPARATUS AND  
SEMICONDUCTOR LASER APPARATUS

Examiner: A. Lavaras

## AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated June 6, 2005 (Paper No. 20050531), for which a response is due on October 6, 2005. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Specification begin on page 2 of this paper.**

**Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.**

10/11/2005 MBINAS 00000005 031952 10723888  
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**Remarks/Arguments begin on page 12 of this paper.**

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